

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: al.	Laymon Scott HUMPHRIES et	
Application No.:	10/758,769	Examiner: Borkowski, R.
Filed:	January 16, 2004	Group Art Unit: 2181
Customer No.:	25537	
Attorney Docket No.:	SKY03008	
Client Docket No.:	09710_1209	

For: METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE  
TELEMETRY DEVICES

Mail Stop Petitions  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Dear Sir:

The above-identified application is abandoned in view of Applicants' failure to timely respond to a Final Office Action mailed on July 18, 2006, with a three month reply set.

Applicants respectfully petition the Office to withdraw the holding of abandonment based on the fact that the a Final Office Action, dated July 18, 2006, was not received in our office until a Notice of Abandonment was mailed to us on March 19, 2007. The undersigned, hereby attests to the fact that a search of the file jacket and docket records indicates that the Final Office Action, mailed on July 18, 2006, was not received. However, the Office communication of Notice of Abandonment was received on March 19, 2007. Please see attached Appendix A. A copy of the docket record reveals that the Final Office Action was neither received nor entered

in the docket. The highlighted entries on the report dated May 18, 2007, reveal that no Final Office Action was received or entered into the docketing system. The highlighted portions clearly show that the response to a first Office Action, filed on May 8, 2006, generated the docketing report for the filing on its respective date.

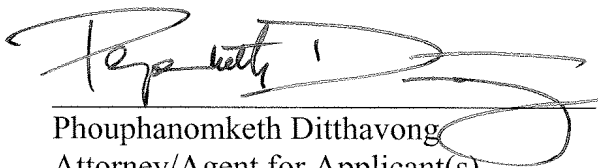
Additionally, screenshots (see attached Appendix B) are provided to evince the non-receipt of the final Office Action. As shown, the first Office Action was received on April 20, 2006 and the response to the first Office Action was filed on May 8, 2006. In addition, the notes of the record (highlighted) supports the fact that Final Office Action, dated July 18, 2006, was not received in our office, and that a Notice of Abandonment was mailed to us on March 19, 2007. It is noted that Appendixes A and B represent copies of the docket records where the non-received Final Office Action would have been entered and docketed had it been received.

It is respectfully requested that the Holding of Abandonment be rescinded and the application returned to pending status.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

5/18/07  
Date

  
Phouphanomketh Ditthavong  
Attorney/Agent for Applicant(s)  
Reg. No. 44658

918 Prince Street  
Alexandria, VA 22314  
Tel. (703) 519-9952  
Fax. (703) 519-9958

## Reminder List With Completed Items

Date: May 18, 2007

Date Due	Done	Who	What	Case No	Inventor	Case Title
	1/16/2004	KD	File New Application-USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
1/12/2004	1/15/2004	KD	Draft Application to Client (2 weeks past due) - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
2/7/2004	1/16/2004	KD	CLIENT FILING DATE (1 month past due) - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
2/16/2004	1/23/2004	LVW	Filing Postcard - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
2/10/2006	2/10/2006	KD	Office Action Received-USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
4/26/2006	4/28/2006	KD	2 weeks before response due - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
5/10/2006	5/8/2006	KD	Response Sent-USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
6/8/2006	Received	LVW	Office Action Postcard Due-USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
3/19/2007	3/19/2007	KD	Notice of Abandonment Received - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
5/12/2007		KD	1 week till File 1.181 petition - USA	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES
5/19/2007		KD	File 1.181 petition	09710_1209	Humphries	METHOD AND SYSTEM FOR REMOTELY CONFIGURING MOBILE TELEMETRY DEVICES

## APPENDIX A

**Office Action (Record Locked to allow your updates)**

Record Save References Reminders Electronic Files Forms Help

Case No:  Country:

Dates / Response		Notes / FlexFields / Non-Compliant Response	
ex Parte Quale <input type="checkbox"/>	Date Mailed: <input type="text" value="2/10/2006"/>	Examiner Name: <input type="text" value="Borkowski, R."/> Phone: <input type="text"/> Fax: <input type="text"/> Art Unit / Office: <input type="text" value="2181"/>	
Restriction Req. <input type="checkbox"/>	Date Received: <input type="text" value="4/20/2006"/>		
Final <input type="checkbox"/>	Date Due: <input type="text" value="5/10/2006"/>		
Received Postcard Response <input checked="" type="checkbox"/>	Last Date to File: <input type="text" value="8/10/2006"/>		
Faxed/Emailed <input type="checkbox"/>	Date Sent/Abandoned: <input type="text" value="5/8/2006"/>		
Date Received in Patent Office: <input type="text"/>			
Type of Amendment/Response <input checked="" type="radio"/> Amendment/Remarks <input type="radio"/> CPA <input type="radio"/> RCE <input type="radio"/> Appeal <input type="radio"/> Preliminary Amendment <input type="radio"/> Withdrawn by PTO		Advisory Action <input type="checkbox"/> Expected <input type="checkbox"/> Received <input type="checkbox"/> Continue to Show Last Date to File Reminder	

**U.S. Patent Case Notes (Record Locked to allow your updates)**

BillEvent

InFirm  FormalsIn

Disclosed

DraftOut

CommentsIn

FormalsOut

☒ Notes  
☐ Abstract

Response to Notice of Abandonment due 05/19/07  
 03/19/07 Notice of Abandonment mailed  
 05/08/06 Response to OA filed  
 02/10/06 OA mailed  
 01/16/04 Application filed

Archive Location: